

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

6

U.S.C.A. #

U.S.D.C. # 08-cv-2106

JUDGE:

KMW

DATE:

3-24-2008

Malkowitsch

-v-

U.S. AG et al

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME):

THOMAS R. PISARCZYK

FIRM:

U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK

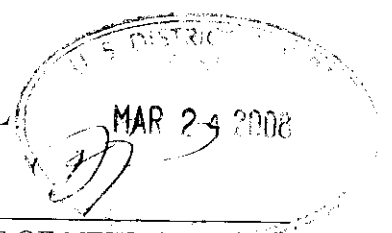
ADDRESS:

500 PEARL STREET, ROOM 370

NEW YORK, NEW YORK 10007

PHONE NO.:

(212) 805 - 0636



DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

(X) Original Record

( ) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 24th Day of March, 2008.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Melkowitz

-v-

U.S. AG et al

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 08-cv-2106

JUDGE: KNH

DATE: 3-24-2008

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 29th Day of March In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>ND</sup> year.

J. Michael McMahon, Clerk

By \_\_\_\_\_

Deputy Clerk

APPEAL, CLOSED, PRO-SE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-02106-KMW**  
**Internal Use Only**

Malkowitsch v. U.B.S. AG et al  
Assigned to: Judge Kimba M. Wood  
Cause: 28:1332 Diversity-Other Contract

Date Filed: 03/03/2008  
Date Terminated: 03/03/2008  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
03/03/2008	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Waldemar Malkowitsch.(laq) (Entered: 03/10/2008)
03/03/2008	<u>2</u>	COMPLAINT against U.B.S. AG, Schweizer Bankverein, Credit Suisse CH8070 Zurich, Schweizerischer Bankenombudsman CH-8021, C.I.A. Washington, D.C.. Document filed by Waldemar Malkowitsch.(laq) (Entered: 03/10/2008)
03/03/2008	<u>3</u>	ORDER OF DISMISSAL, The Court grants plaintiff's request to proceed in forma pauperis, but dismisses the complaints for the reasons set forth. Accordingly, the complaint is dismissed sua sponte because it fails to allege any facts establishing subject matter jurisdiction, FRCP 12(h)(3), and therefore "lacks an arguable basis either in law or in fact." The Court certifies pursuant to 28 U.S.C.1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 3/3/08) (laq) (Entered: 03/10/2008)
03/03/2008		Magistrate Judge Ronald L. Ellis is so designated. (laq) (Entered: 03/10/2008)
03/03/2008	<u>4</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 3/3/08) (laq) (Entered: 03/10/2008)
03/17/2008	<u>5</u>	NOTICE OF APPEAL from 3 Order Dismissing Complaint (I.F.P.), Order Dismissing Complaint (I.F.P.), 4 Judgment - Sua Sponte (Complaint). Document filed by Waldemar Malkowitsch. (tp) (Entered: 03/24/2008)
03/17/2008	<u>6</u>	Appeal Remark as to 5 Notice of Appeal filed by Waldemar Malkowitsch. \$455.00 APPEAL FEE DUE. IFP REVOKED 3/3/08. (tp) (Entered: 03/24/2008)
03/24/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 5 Notice of Appeal. (tp) (Entered: 03/24/2008)
03/24/2008		Transmission of Notice of Appeal to the District Judge re: 5 Notice of Appeal. (tp) (Entered: 03/24/2008)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

**6**

U.S.C.A. #

U.S.D.C. #

**08-W-2107**

JUDGE:

**KMW**

DATE:

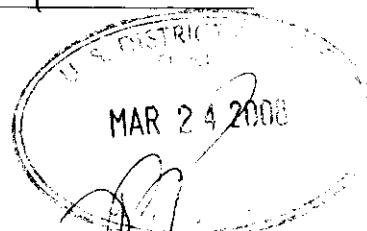
**3-24-2008**

**Pereles**

-v-

**CBS 60 minute et al**

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME):

**THOMAS R. PISARCZYK**

FIRM:

**U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK**

ADDRESS:

**500 PEARL STREET, ROOM 370**

**NEW YORK, NEW YORK 10007**

PHONE NO.:

**(212) 805 - 0636**

DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the **24th** Day of **March**, 2008.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 08-cv-2107

JUDGE: KLM

DATE: 3-24-2008

Perales

-v-

CBS 60 minute

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 24th Day of March In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>ND</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_

Deputy Clerk

APPEAL, CLOSED, PRO-SE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-02107-KMW**  
**Internal Use Only**

Perales v. CBS 60 Minute et al  
Assigned to: Judge Kimba M. Wood  
Cause: 42:1983 Civil Rights Act

Date Filed: 03/03/2008  
Date Terminated: 03/03/2008  
Jury Demand: Plaintiff  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
03/03/2008	1	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Richard Alexander Perales.(mbe) (Entered: 03/11/2008)
03/03/2008	2	COMPLAINT against CBS 60 Minutes, David Letterman, Travis County Sheriff Depart.. Document filed by Richard Alexander Perales.(mbe) (Entered: 03/11/2008)
03/03/2008		Magistrate Judge Henry B. Pitman is so designated. (mbe) (Entered: 03/11/2008)
03/03/2008	3	ORDER OF DISMISSAL, I grant plaintiff's request to proceed in forma pauperis and consolidate these actions for the purpose of this order, but dismiss the complaints for the following reasons. Accordingly, the complaint, filed in forma pauperis under 28 U.S.C. 1915(a) and consolidate for the purpose of this order and dismissed for lack of subject matter jurisdiction and for failure to state a claim upon which relief may be granted. I certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. So ORDERED. (Signed by Judge Loretta A. Preska on 3/3/2008) (mbe) (Entered: 03/11/2008)
03/03/2008	4	JUDGMENT: Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Loretta A. Preska on 3/3/2008) (mbe) (Entered: 03/11/2008)
03/20/2008	5	NOTICE OF APPEAL from 3 Order Dismissing Complaint (I.F.P.), 4 Judgment - Sua Sponte (Complaint). Document filed by Richard Alexander Perales. (tp) (Entered: 03/24/2008)
03/20/2008		Appeal Remark as to 5 Notice of Appeal filed by Richard Alexander Perales. \$455.00 APPEAL FEE DUE. IFP REVOKED 3/3/08. (tp) (Entered: 03/24/2008)
03/24/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 5 Notice of Appeal. (tp) (Entered: 03/24/2008)
03/24/2008		Transmission of Notice of Appeal to the District Judge re: 5 Notice of Appeal. (tp) (Entered: 03/24/2008)